

**United States District Court
Southern District of Ohio
Western Division**

JOSE DOMINGUEZ	:	
	:	CASE NO. C-1-00-938
Petitioner-Appellant	:	
 v.	:	NOTICE OF APPEAL
 HAROLD CARTER	:	
	:	
Defendant-Appellee	:	

Notice is hereby given that Jose Dominguez, appeals to the United States Court of Appeals for the Sixth Circuit from an order denying Petitioner's writ of habeas corpus entered in this action on the 10th day of August, 2006.

Petitioner, by and through counsel, requests permission to appeal the order in forma pauperis. Petitioner has been sent Form 4, Affidavit Accompanying Motion for Permission to Appeal in Forma Pauperis. Due to Petitioner's incarceration since January 28, 1998, he cannot prepay the docket fees of his appeal or post a bond for them. This notice is being filed absent the affidavit because Petitioner has not yet returned the affidavit. Counsel will file the affidavit as soon as it is returned by Petitioner.

Respectfully submitted,

Al Ravert J. Clark
Ravert J. Clark
Reg. No. 042027
for the Petitioner
114 E. 8th Street
Suite 400
Cincinnati, Ohio 45202
513-587-2887

CERTIFICATE OF SERVICE

I certify a copy of the foregoing Notice of Appeal was this 11th day of August, 2006, electronically on all counsel of record in this case by the ECMS.

R. Ravert J. Clark
Ravert J. Clark